
SENATE BILL 5699

State of Washington

59th Legislature

2005 Regular Session

By Senators Oke, Jacobsen, Spanel, Doumit, Kline, Rockefeller and Rasmussen

Read first time 02/02/2005. Referred to Committee on Natural Resources, Ocean & Recreation.

1 AN ACT Relating to preventing and controlling aquatic invasive
2 species and algae; amending RCW 88.02.050; adding a new section to
3 chapter 77.12 RCW; adding a new section to chapter 43.21A RCW; adding
4 a new section to chapter 43.43 RCW; and creating a new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that aquatic invasive
7 species and freshwater aquatic algae are causing economic,
8 environmental, and public health problems that affect the citizens and
9 aquatic resources of our state. Many highly destructive species, such
10 as the zebra mussel, are currently not found in Washington's waters and
11 efforts should be made to prevent the introduction or spread of these
12 aquatic invasive species into our state waters. Preventing new
13 introductions is significantly less expensive and causes far less
14 ecological damage than trying to control new infestations.

15 The legislature also finds that freshwater algae, particularly
16 blue-green algae, are also seriously degrading the water quality and
17 recreational value of a number of our lakes. Blue-green algae can
18 produce toxins that inhibit recreational uses and pose a threat to
19 humans and pets.

1 It is therefore the intent of the legislature to clarify the roles
2 of the different state agencies involved in these issues in order to
3 address the threat of aquatic invasive species and the problem caused
4 by aquatic freshwater algae, and to provide a dedicated fund source to
5 prevent and control further impacts.

6 **Sec. 2.** RCW 88.02.050 and 2002 c 286 s 13 are each amended to read
7 as follows:

8 (1) Application for a vessel registration shall be made to the
9 department or its authorized agent in the manner and upon forms
10 prescribed by the department. The application shall state the name and
11 address of each owner of the vessel and such other information as may
12 be required by the department, shall be signed by at least one owner,
13 and shall be accompanied by a vessel registration fee of ten dollars
14 and fifty cents per year and the excise tax imposed under chapter 82.49
15 RCW. (~~(In addition, two)~~)

16 (2) Five additional dollars must be collected annually from every
17 vessel registration application. These moneys must be distributed in
18 the following manner:

19 (a) Two dollars must be deposited into the derelict vessel removal
20 account established in RCW 79.100.100. If the department of natural
21 resources indicates that the balance of the derelict vessel removal
22 account reaches one million dollars as of March 1st of any year, the
23 collection of the two-dollar fee must be suspended for the following
24 fiscal year.

25 (b) One dollar and fifty cents must be deposited in the aquatic
26 invasive species prevention account created in section 3 of this act.

27 (c) One dollar must be deposited into the freshwater aquatic algae
28 control account created in section 4 of this act.

29 (d) Fifty cents must be deposited into the aquatic invasive species
30 enforcement account created in section 5 of this act.

31 (3) Any fees required for licensing agents under RCW 46.01.140
32 shall be in addition to the ten dollar and fifty cent annual
33 registration fee and the (~~two-dollar derelict vessel~~) five-dollar fee
34 created in subsection (2) of this section.

35 (4) Upon receipt of the application and the registration fee, the
36 department shall assign a registration number and issue a decal for
37 each vessel. The registration number and decal shall be issued and

1 affixed to the vessel in a manner prescribed by the department
2 consistent with the standard numbering system for vessels set forth in
3 volume 33, part 174, of the code of federal regulations. A valid decal
4 affixed as prescribed shall indicate compliance with the annual
5 registration requirements of this chapter.

6 (5) The vessel registrations and decals are valid for a period of
7 one year, except that the director of licensing may extend or diminish
8 vessel registration periods, and the decals therefor, for the purpose
9 of staggered renewal periods. For registration periods of more or less
10 than one year, the department may collect prorated annual registration
11 fees and excise taxes based upon the number of months in the
12 registration period. Vessel registrations are renewable every year in
13 a manner prescribed by the department upon payment of the vessel
14 registration fee, excise tax, and the derelict vessel fee. Upon
15 renewing a vessel registration, the department shall issue a new decal
16 to be affixed as prescribed by the department.

17 (6) When the department issues either a notice to renew a vessel
18 registration or a decal for a new or renewed vessel registration, it
19 shall also provide information on the location of marine oil recycling
20 tanks and sewage holding tank pumping stations. This information will
21 be provided to the department by the state parks and recreation
22 commission in a form ready for distribution. The form will be
23 developed and prepared by the state parks and recreation commission
24 with the cooperation of the department of ecology. The department, the
25 state parks and recreation commission, and the department of ecology
26 shall enter into a memorandum of agreement to implement this process.

27 (7) A person acquiring a vessel from a dealer or a vessel already
28 validly registered under this chapter shall, within fifteen days of the
29 acquisition or purchase of the vessel, apply to the department or its
30 authorized agent for transfer of the vessel registration, and the
31 application shall be accompanied by a transfer fee of one dollar.

32 NEW SECTION. **Sec. 3.** A new section is added to chapter 77.12 RCW
33 to read as follows:

34 (1) The aquatic invasive species prevention account is created in
35 the state treasury. Moneys directed to the account from RCW 88.02.050
36 must be deposited in the account. Expenditures from the account may

1 only be used as provided in this section. Moneys in the account may be
2 spent only after appropriation.

3 (2) Funds in the aquatic invasive species prevention account may be
4 appropriated to the department to develop an aquatic invasive species
5 prevention program for recreational watercraft. Funds must be expended
6 as follows:

7 (a) To inspect watercraft, watercraft trailers, and outboard motors
8 at selected boat launching sites;

9 (b) To educate general law enforcement officers on how to enforce
10 state laws relating to preventing the spread of aquatic invasive
11 species;

12 (c) To evaluate and survey the risk posed by marine recreational
13 watercraft in spreading aquatic invasive species into Washington state
14 waters;

15 (d) To evaluate the risk posed by float planes in spreading aquatic
16 invasive species into Washington state waters; and

17 (e) To implement an aquatic invasive species early detection and
18 rapid response plan.

19 (3) The department shall provide training to Washington state
20 patrol employees working at port of entry weigh stations on how to
21 inspect recreational watercraft for the presence of zebra mussels and
22 other aquatic invasive species. The department shall also
23 cooperatively work with the Washington state patrol to set up random
24 check stations to inspect watercraft at areas of high boating activity.

25 (4) The department shall submit a biennial report to the
26 appropriate legislative committees describing the actions taken to
27 implement this section along with suggestions on how to better fulfill
28 the intent of this act. The first report is due December 1, 2007.

29 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.21A RCW
30 to read as follows:

31 (1) The freshwater aquatic algae control account is created in the
32 state treasury. Moneys directed to the account from RCW 88.02.050 must
33 be deposited in the account. Expenditures from the account may only be
34 used as provided in this section. Moneys in the account may be spent
35 only after appropriation.

36 (2) Funds in the freshwater aquatic algae control account may be

1 appropriated to the department to develop a freshwater aquatic algae
2 control program. Funds must be expended as follows:

3 (a) As grants to cities, counties, tribes, special purpose
4 districts, and state agencies to manage excessive freshwater algae; and

5 (b) To provide technical assistance to applicants and the public
6 about aquatic algae control.

7 (3) The department shall submit a biennial report to the
8 appropriate legislative committees describing the actions taken to
9 implement this section along with suggestions on how to better fulfill
10 the intent of this act. The first report is due December 1, 2007.

11 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.43 RCW
12 to read as follows:

13 (1) The aquatic invasive species enforcement account is created in
14 the state treasury. Moneys directed to the account from RCW 88.02.050
15 must be deposited in the account. Expenditures from the account may
16 only be used as provided in this section. Moneys in the account may be
17 spent only after appropriation.

18 (2) Funds in the aquatic invasive species enforcement account may
19 be appropriated to the Washington state patrol to develop an aquatic
20 invasive species enforcement program for recreational watercraft.
21 Funds must be expended as follows:

22 (a) To inspect recreational watercraft that are required to stop at
23 port of entry weigh stations managed by the Washington state patrol.
24 The watercraft must be inspected for the presence of zebra mussels and
25 other aquatic invasive species; and

26 (b) To establish random check stations, in conjunction with the
27 department of fish and wildlife, to inspect watercraft in areas of high
28 boating activity.

29 (3) The Washington state patrol shall submit a biennial report to
30 the appropriate legislative committees describing the actions taken to
31 implement this section along with suggestions on how to better fulfill
32 the intent of this act. The first report is due December 1, 2007.

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